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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

UNITED STATES OF AMERICA,

Plaintiff,

No. 12-CR-179-S

vs.

CHRISTOPHER LEE
SWARTWOOD,

Defendant.

**DEFENDANT'S UNOPPOSED MOTION TO CONTINUE SENTENCING
HEARING**

Comes now the defendant, Christopher Swartwood, by and through his attorney, Andrew Parnes, and respectfully requests this Court to continue and set the sentencing in

this matter for a period of time convenient to the court approximately forty-five (45) days beyond the current May 30, 2013 sentencing date.

In support of this request, the Defendant informs the Court as follows:

1. On July 19, 2012, the Grand Jury returned an indictment against the Defendant alleging two counts of felon in possession of firearm in violation of 18 U.S.C. §§922 (g)(1) and 924 (e).
2. On December 11, 2012, Mr. Swartwood entered a guilty plea to Count One of the Indictment. Prior to entering the plea, Mr. Swartwood participated in a proffer session with Government agents.
3. Mr. Swartwood is currently in custody at the Big Horn County Jail.
4. Mr. Swartwood has been treated for a number of medical issues and was recently diagnosed with Type II diabetes. I have spoken with Dr. Fitzsimmons, who is the local doctor who oversees the treatment of the inmates at the Big Horn Jail. Dr. Fitzsimmons is currently in the process of trying various medications to control Mr. Swartwood's diabetes. He indicated that he needs approximately three months in order to determine the proper medications for Mr. Swartwood.
5. I believe that it would be beneficial to assure that Dr. Fitzsimmons has the proper time to complete the medication regimen for Mr. Swartwood before sentencing, when Mr. Swartwood will be moved to the custody of Bureau

of Prisons. In order to assure that Dr. Fitzsimmons has enough time to complete his analysis, I am requesting that sentencing be continued.

6. In addition, the Government continues to assess the information and pursue matters based upon the proffer session. The plea agreement provides that based upon its assessment of the information, the Government will recommend a departure pursuant to USSG § 5K1.1. Similarly, Mr. Swartwood waived his right to a prompt sentencing.
7. Counsel for the Defendant has contacted the attorney for the United States, and the Government has no objection to the requested continuance.
8. For all of the aforementioned reasons, Defendant respectfully requests sentencing in this matter be set at the convenience of the court approximately forty-five (45) days beyond May 30, 2013. Undersigned counsel is not available July 23 through August 1, 2013.

Respectfully submitted this 24th day of April, 2013.

/s/ Andrew Parnes
Andrew Parnes
Counsel for Defendant

CERTIFICATE OF SERVICE

The undersigned certifies that on the 24th day of April, 2013, a true and correct copy of the foregoing document was served upon Counsel of Record, Jason Conder via CM/ECF or Court's Electronic Filing System.

/s/ Andrew Parnes